



PATENT Customer No. 22,852 Attorney Docket No. 5725.1422-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Veronique FERRARI et al.) Group Art Unit: 1615
Application No.: 10/528,698) Examiner: Michael P. WOODWARD
Filed: December 6, 2005)
For: LIPSTICK COMPRISING A) Confirmation No.: 4617

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the listed documents on the attached PTO/SB/08 Form. This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patents and patent application publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Application No. 10/529,698 Attorney Docket No. 05725.1422-00

The following is a concise statement of relevance of the non-English language documents.

- EP 1 421 928 A2: This document is believed to be related to United States Patent
 Application Publication No. 2004/0120906 A1, cited in the attached form
 PTO/SB/08.
- 2. <u>EP 1 411 069 A2</u>: This document is believed to be related to United States Patent Application Publication No. 2004/0120920 A1, cited in the attached form PTO/SB/08.
- 3. FR 2 860 143 A1: This document is believed to be related to United States Patent Application Publication No. 2005/0106197 A1, cited in the attached form PTO/SB/08.
- 4. FR 2 860 156 A1: An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 5. FR 2 840 205 A1: This document is believed to be related to United States Patent Application Publication No. 2004/0039101 A1, cited in the attached form PTO/SB/08.
- 6. FR 2 840 209 A1: This document is believed to be related to United States Patent Application Publication No. 2004/0009136 A1, cited in the attached form PTO/SB/08.

- 7. FR 2 827 514 A1: This document is believed to be related to United States Patent Application Publication No. 2003/0059392 A1, cited in the attached form PTO/SB/08.
- 8. FR 2 791 988 A1: This document is believed to be related to United States Patent No. 6,692,733, cited in the attached form PTO/SB/08.
- 9. <u>JP 2004-2435</u>: An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith. This document is also believed to be related to U.S. Patent Application Publication No. 2004/0039101, cited in the attached form PTO/SB/08
- 10. <u>JP 2006-507355</u>: This document is believed to be related to PCT International Application Publication No. WO 2004/024700, cited in the attached form PTO/SB/08.
- 11. <u>JP 2006-507365</u>: This document is believed to be related to United States Patent Application Publication No. 2006/0127334, cited in the attached form PTO/SB/08.
- 12. <u>JP 2006-507366</u>: This document is believed to be related to United States Patent Application Publication No. 2006/0147403 A1, cited in the attached form PTO/SB/08.
- 13. <u>JP 2006-507367</u>: This document is believed to be related to United States Patent Application Publication No. 2006/0093568, cited in the attached form PTO/SB/08.

Application No. 10/529,698 Attorney Docket No. 05725.1422-00

- 14. <u>JP 2006-503921</u>: This document is believed to be related to United States Patent Application Publication No. 2006/0134051, cited in the attached form PTO/SB/08.
- 15. <u>JP 2005/104979</u>: This document is believed to be related to United States Patent Application Publication No. 2005/0106197 A1, cited in the attached form PTO/SB/08.
- 16. <u>JP 2004-269497</u>: This document is believed to be related to United States Patent Application Publication No. 2004/0120906 A1, cited in the attached form PTO/SB/08.
- 17. <u>JP 2004-149772</u>: This document is believed to be related to United States Patent Application Publication No. 2004/0120920 A1, cited in the attached form PTO/SB/08.
- 18. <u>JP 2004-2432</u>: An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith. This document is also believed to be related to U.S. Patent Application Publication No. 2004/0009136, cited in the attached form PTO/SB/08.
- 19. <u>JP 2003-081742:</u> This document is believed to be related to European ApplicationNo. 1 440 680, cited in the attached form PTO/SB/08.
- 20. <u>JP 2003-73222</u>: This document is believed to be related to United States Patent Application Publication No. 2003/0059392 A1, cited in the attached form PTO/SB/08.

- 21. <u>JP 2003-286142</u>: This document is believed to be related to European Application Publication No. 1 440 680, cited in the attached form PTO/SB/08.
- 22. <u>JP 2001-527559</u>: This document is believed to be related to PCT International Publication No. WO 98/51276, cited in the attached form PTO/SB/08.
- 23. <u>JP 2001-348553</u>: An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 24. <u>JP 2000-319326</u>: This document is believed to be related to United States Patent No. 6,692,733 B1, cited in the attached form PTO/SB/08.
- 25. <u>JP H11-100307</u>: An abstract of the disclosure of this document can be found in the English language Derwent Abstract, submitted herewith.
- 26. <u>WO 2004/028485 A2</u>: An English language abstract of the disclosure of this document can be found on the front of this document, which is submitted herewith.
- 27. WO 2004/028487 A2: An English language abstract of the disclosure of this document can be found on the front of this document, which is submitted herewith.
- 28. WO 2004/028491 A2: An English language abstract of the disclosure of this document can be found on the front of this document, which is submitted herewith.

Application No. 10/529,698 Attorney Docket No. 05725.1422-00

29. WO 01/89470 A1: This document is believed to be related to United States Patent

Application Publication No. 2002/0115780, cited in the attached form PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: January 7, 2008

Ali I. Ahmed

Reg. No. 56,848